

Intarcia Dkt No. ALE 053.16  
 USSN: 10/645,293  
 PATENT

| CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)   |                     |
|---|---------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, United States Patent and Trademark Office (Fax No. 571-273-8300) on the date indicated. |                     |
| <i>Jay R. Fabian</i>  | 29 September 2008   |
| Signature   | Date of Transmittal |

| IN THE UNITED STATES PATENT AND TRADEMARK OFFICE                         |                         |
|--|-------------------------|
| In Re Application of: PEERY, John R., et al.                             | Confirmation No.: 7202  |
| Serial No.: 10/645,293   | Art Unit: 1618          |
| Filing Date: 20 August 2003  | Examiner: Ebrahim, N.G. |
| Title: SUSTAINED DELIVERY OF AN ACTIVE AGENT USING AN IMPLANTABLE SYSTEM |                         |

### PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application.

The requested extension and fee are as follows:

|    | 37 C.F.R. §    | Time Period                                | Fee        | Small Entity Fee | Total      |
|----|----------------|--|------------|------------------|------------|
|    | 1.17(a)(1)     | Extension for response within first month  | \$120.00   | \$60.00          |            |
|    | 1.17(a)(2)     | Extension for response within second month | \$460.00   | \$230.00         |            |
| XX | CFR 1.17(a)(3) | Extension for response within third month  | \$1,050.00 | \$525.00         | \$1,050.00 |
|    | CFR 1.17(a)(4) | Extension for response within fourth month | \$1,640.00 | \$820.00         |            |
|    | CFR 1.17(a)(5) | Extension for response within fifth month  | \$2,230.00 | \$1,115.00       |            |

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**Authorization to Pay Fees**

The Commissioner is hereby authorized to charge \$1,050.00 to Deposit Account No. **504212** (please reference docket number **ALE 053.16**) for a three-month extension of time (small entity rate).

No additional fees are believed due in connection with this paper. However, the Commissioner is hereby authorized to charge to Deposit Account No. **504212** any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, with the exception of the payment of the Issue Fee.

Respectfully submitted,

*Gary R Fabian*

Dated: 29 September 2008

By :

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